

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

IN RE JACKSON WATER CASES

CAUSE NO. 3:23-CV-614-CWR-LGI

**THIS DOCUMENTS RELATES TO ALL
PLAINTIFFS**

**[PROPOSED]
CASE MANAGEMENT ORDER NO. __**

The Court, having considered the Defendants' Motion for Entry of a Pre-Discovery *Lone Pine* Case Management Order, hereby GRANTS Defendants' Motion and ORDERS as follows:

1. Service of *Lone Pine* Affidavits

- a. Within 90 days of the entry of this Order, each currently pending Plaintiff in these consolidated actions shall serve upon Defendants two affidavits, or declarations complying with 28 U.S.C. § 1746 (hereinafter "*Lone Pine* Affidavits"), containing all of the items outlined in Sections 3 and 4, below.
- b. Any Plaintiff(s) who later files a Complaint in these consolidated actions shall serve the *Lone Pine* Affidavits upon Defendants within 60 days of filing a Complaint.
- c. The *Lone Pine* Affidavits shall only pertain to a single Plaintiff.
- d. Each Plaintiff shall serve counsel for all Defendants by emailing a .pdf of the *Lone Pine* Affidavits, one email per Plaintiff, to an email address (or email addresses) to be supplied by Defendants.
- e. Plaintiffs shall not file the *Lone Pine* Affidavits on the docket.

2. Filing of Notice of Service

- a. Each Plaintiff shall file a "Notice of Service of *Lone Pine* Affidavits in Accordance with CMO No. _____" on the master docket.
- b. The Notice shall state all details related to the email service, including Plaintiff's (or Plaintiffs') full name(s), docket number, date the email with the *Lone Pine* Affidavits was sent, and a list of documents that were served with the *Lone Pine* Affidavits, if any.

3. Parent or Legal Guardian Affidavit

Each Plaintiff shall provide a Parent or Legal Guardian Affidavit stating:

- a. **Exposure:** all dates of exposure(s) to lead in City of Jackson public water during the relevant timeframe of this litigation which Plaintiff contends was caused by alleged actions of Defendants; and the specific location(s) of said exposure(s). Use one row per date and/or site of exposure.

Beginning Date of Exposure (Day, Month, Year)	Ending Date of Exposure (Day, Month, Year)	Location of Exposure (Name and/or Type of Location & Address) (add additional rows for multiple locations)

4. Expert Affidavit

Each Plaintiff shall provide an Affidavit of a qualified expert stating:

- a. **Injury:** all diagnosed injuries or illnesses that Plaintiff claims were caused by exposure(s) to lead in City of Jackson public water during the relevant timeframe of this litigation which Plaintiff contend were caused by the alleged actions of Defendants. Include for each injury or illness the date(s) of diagnosis by a health care provider, name and address of said provider(s), and the date, location and results of any lead screening or blood testing in this format. Use one row per diagnosis and/or laboratory test.

Diagnosed Injury/Illness	Date of Diagnosis by Healthcare Provider	Name & Address of Healthcare Provider	Blood Lead Level Testing Result(s) and date of test(s)	Laboratory Testing Performed? Y/N. If Y, specify type and date(s)	Results of Laboratory Testing, if any

- b. **Causation:** citations to the scientific literature supporting any claim that the Plaintiff's injury could be caused, and in fact was caused, by exposure(s) to lead in City of Jackson public water during the relevant timeframe of this litigation which Plaintiff contends were caused by the alleged actions of Defendants.

5. **Failure to Serve *Lone Pine* Affidavits /File Notice of Service**

- a. If any Plaintiff fails to serve the *Lone Pine* Affidavits and/or file the required Notice of Service, within 30 days of Plaintiff's/Plaintiffs' deadline, Defendants shall provide a written statement, served upon counsel for the Plaintiff or Plaintiffs (but not filed) alerting Plaintiffs' counsel of such failure to comply.

6. **Deficient *Lone Pine* Affidavits**

- a. If any Plaintiff serves the *Lone Pine* Affidavits and files a Notice of Service which fails to comply with all of the requirements in this Order, within 30 days of being served with the *Lone Pine* Affidavits or the filing of the Notice of Service, whichever is later, Defendants shall provide a written statement, served upon counsel for Plaintiffs (but not filed on the docket) identifying said deficiencies. If several Plaintiffs' submissions contain the same types of noncompliance, Defendants may serve a letter that identifies the categories of noncompliance instead.

7. **Notification of Noncompliant Cases**

- a. If Plaintiffs do not cure according to the paragraphs above within 30 days of receiving notice from Defendants of the identified failures/deficiencies by either by either serving the required *Lone Pine* Affidavits or Amended *Lone Pine* Affidavits and filing a Notice of Service of same, Defendants will provide the Court with a list of noncompliant Plaintiffs who will be required to Show Cause why their case should not be dismissed, as provided in a future Case Management Order.

8. **Stay of Discovery**

- a. Except as provided herein or made upon motion and good cause shown, no other discovery shall be conducted in this case until all currently pending Plaintiffs have complied with this Order and the Court has entered a subsequent Case Management Order governing further discovery and trial.

SO ORDERED this the ____ of _____, 2023.

s/
